

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GALP SIERRA VISTA LP, et al.,

Plaintiffs,

v.

RSUI INDEMNITY COMPANY,

Defendant.

CASE NO. C10-5647 BHS

ORDER DENYING PLAINTIFFS'
MOTION TO QUASH

This matter comes before the Court on Plaintiffs' motion to quash subpoenas (Dkt. 113). The Court has considered the pleadings filed in support of and in opposition to the motion and the remainder of the file and hereby denies the motion for the reasons stated herein.

On October 12, 2012, Defendants obtained deposition subpoenas from the United States District Court for the Southern District of Texas. Dkt. 114, Exh. J. On October 18, 2012, Plaintiffs moved to quash those subpoenas. Dkt. 113.

The Court is without jurisdiction to quash subpoenas issued by the Texas court. *S.E.C. v. CMKM Diamonds, Inc.*, 656 F.3d 829, 832 (9th Cir. 2011) ("we must hold that

1 the court that issued the subpoena, and not the court where the underlying action is
2 pending, can entertain a motion to quash or modify a subpoena.”). Plaintiffs’ motion is
3 without merit. Therefore, the Court denies the motion to quash the Texas subpoenas.

4 **IT IS SO ORDERED.**

5 Dated this 5th day of November, 2012.

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9 BENJAMIN H. SETTLE
10 United States District Judge
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